

CONSERVATION COMMISSION PUBLIC HEARING

July 24, 2007

FINAL

The meeting was called to order at 7:01 p.m. by Ellen Goethel, Chairperson, at the Hampton Town Office Meeting Room. Present were Commission Members Jay Diener, Daniel Gangai, Sharon Raymond and Peter Tilton, Jr., Alternates Nathan Page and Barbara Renaud were present. Alternate Pete MacKinnon was absent. Fran McMahon was representing the Planning Board.

The site walk was held on Saturday, July 21, 2007 meeting at the Town Parking Lot at 9:00 a.m.

- A. 571 Winnacunnet Rd
- B. 0 Bragg Ave
- C. 140 Kings Highway
- D. 155 Drakeside Road
- E. 87 Barbour Rd

The Minutes of May 22, May 29, and June 24, 2007 were reviewed and accepted with corrections noted.

NH WETLAND BUREAU APPLICATIONS

- A. 8 Sapphire Ave.
Vincent Scrima

The project proposes 192 sq ft of permeable impacts within the 100' tidal buffer zone for removal of an existing shed (186 sq. ft), the construction of a new shed (24 sq. ft), and the construction of a new deck (168 sq ft). Mr. Page motioned the same motion that was made on May 22, 2007 with the usual stipulations. Ms. Raymond seconded the motion. All were in favor.

SPECIAL PERMITS

- A. 3 Gale Road
William Nyhan

This Special Permit is for the construction of a new house within the Town Wetlands Conservation District. The applicant has agreed to ask the Planning Board to continue their petition for a Wetlands Impact Special Permit for 3 Gale R. Mr. Page motioned to table this Application until the August 28, 2007 Conservation Commission Meeting. Mr. Diener seconded. All were in favor.

- B. 35 Harbor Road
Ronald Dube

This Special Permit is to repair and rebuild existing pier and railway within the Town Wetlands Conservation District. Mr. Tilton motioned to grant this special permit for the repair and rebuilding of the existing pier and railway at 35 Harbor Road within the State Jurisdictional Wetlands. The applicant noted that he was planning to replace the existing pilings. We ask the Planning Board to inform the applicant to be sure he has all the necessary permits from all applicable State and Federal Agencies. The usual stipulations will be followed. Mr. Page seconded the motion. All were in favor.

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SPECIAL PERMITS (Cont)

C. 0 Bragg Ave

Constance Jangel

After a brief discussion, Ms. Raymond motioned to continue this discussion at the next Conservation Commission Meeting on August 28, 2007. The Applicant has agreed to request that the Planning Board continue her Special Permit application to a date to be determined, after the discussion at this meeting of the Conservation Commission. The Commission advised the applicant of the following issues needed to be addressed before continuing with the Special Permit request: (1) lot lines must be clearly delineated on a tax map and property surveyed including the edge of Town property; (2) wetlands on the property needs to be delineated by a certified NH Soils Scientist; (3) contact the State DES Wetlands Inspector and have him do an inspection and file for a Dredge & Fill application; (4) needs to show some paper trail that this area actually is a legal parking lot for the 3 rental properties at 19 Riverview Terrace; (5) needs to ask the Planning Board to approve this area as a parking lot; (6) may need to obtain a driveway permit; and (7) contact and speak to Building Inspector about this project. The Commission would not look favorably on granting the applicant's request to place gravel fill in this area for parking. Mr. Tilton seconded the motion. All were in favor.

D. 31 Langdale

This application is to construct a 12 x 12 sunroom off the back of the house with a 6 x 6 deck off the side. Ms. Renaud motioned the granting of a Wetlands Impact Special Permit for the construction of sunroom and deck off the second floor within the Town Wetlands Conservation District at 31 Langdale Rd. with the usual stipulations. Ms. Raymond seconded the motion. All were in favor. The Commission commended the applicant for coming to the Conservation Commission for advice prior to submitting the application.

E. 140 Kings Highway

Ann Pare

This special permit is to replace an existing fence. Mr. Page motioned to grant a Wetlands Impact Special Permit for the replacement of an existing fence within the Town Wetlands Conservation District at 140 Kings Highway with the usual stipulations. As long as the applicant stayed within the exact footprint for the fence they did not need to have the wetland delineated. Mr. Gangai seconded the motion. All were in favor.

F. 155 Drakeside Rd

Hampton Meadow Condo's.

This special permit is to redesign the roadway to alleviate water within the Town's Wetlands Conservation District. Mr. Page motioned to not oppose the granting of a Wetlands Impact Special Permit to redesign the roadway to alleviate water problems within the Town Wetlands Conservation District at 155 Drakeside Road with the following stipulations which the applicant has agreed to: Annual maintenance report with photos is submitted to the Conservation Commission and the Planning Office for the drainage ponds and catch basins. Mr. Diener amended the motion to add all down spouts within the buffer and should be cut so that the roof runoff is treated prior to going into the ponds (including properties #58, 59 & 60). Catch basins will be designed off line by adding drain manholes; and final plans will be subject to approval by the Conservation Commission and the Planning Board. The usual stipulations will also be adhered to. Mr. Gangai seconded the amended motion. All were in favor of the amended motion.

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PLANNING BOARD REFERRALS

A. 87 Barbour Road

This Planning Board Referral is for a subdivision abutting the Town owned Conservation Land at the Victory Garden and Whites Lane, within the Aquifer Protection Zone. The Commission has the following concerns that they would like the Planning Board to discuss with the applicant:

1. Drainage

The Victory Garden has been experiencing increased flooding and perpetual wet areas over the past 2 years. Water has been running down the street into the Victory Garden. There is also a ditch that has not been maintained and in places has been filled in causing water to run down the street. The drainage needs to be addressed by the applicant.

The Conservation Commission does not like the use of a retention pond. This would be an excellent site for subsurface infiltration and use of innovative drainage solutions such as water gardens.

2. SAFETY

The retention pond is 6-7 ft deep and placed right along the edge of the road where children will be walking making it a safety issue for the neighborhood.

The Conservation Land at White's Lane is an area of hunting. A fence along the entire length of the Town Property would keep townspeople from wandering through private land and to protect the habitat and prevent dumping of yard waste by the Owners of the development.

3. OTHER ISSUES

1. Impervious surface. The maximum square footage for each lot needs to be calculated in regard to the Aquifer Protection Zone Ordinance.

2. The impervious surface area square footage needs to be calculated for the entire project not just each house lot. The road surface needs to be included in this calculation and cannot exceed 25% of the total subdivision.

3. The Commission suggests that the pond be placed in a deed restriction which gives a home owners association responsibility to maintain the pond and send maintenance reports to the Planning Board.

The Commission would like to see either a 10' buffer left in its natural vegetated state along the outer perimeter of the subdivision or 2 Lots left in open space for "park land" to protect the habitat on the adjacent properties for the Town of Hampton and its residents.

Mr. Tilton motioned to allow Mrs. Goethel to write a letter to the Selectmen, seconded by Ms. Renaud. All were in favor.

OLD BUSINESS

A. 52 Tide Mill Road

After the fact application for construction and fill within the Town Wetlands Conservation District sent to the Conservation Commission for mitigation plan.

The applicant has agreed to the following:

1. All of the debris within the Town Wetlands Conservation District will be removed.
2. Granite markers will be placed along the wetlands boundary.
3. There will be no chemical agents used for lawn care on the property.
4. Five trees will be planted within the buffer at least 10 feet in height and between 3-5 inches in diameter. These trees will be from a list of native species provided by an arborist.
5. Conservation boundary markers will be placed on trees to delineate the Wetlands Conservation District.
6. The silt fence will be expended around the entire perimeter of the work area.
7. There will be a deed restriction which requires the applicant to keep the Wetlands Conservation District in its natural vegetative state.
8. The Conservation Commission will be notified in writing when construction is complete and all conditions are met.

The Commission would like to thank the applicant for his willingness to work with the Commission to rectify this situation.

The next Conservation Commission Public Hearing will be held on Tuesday, August 28, 2007 in the Town Office Meeting Room at 7:00 p.m. The next site walk will be held on Saturday, August 25, 2007 meeting at the Town Office Parking Lot at 9:00 a.m.

Mr. Deiner motioned to adjourn at 10:00 p.m., seconded by Mr. Page. All were in favor.

Respectfully submitted,



Sue Launi
Secretary